

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

|                                       |   |                      |
|---------------------------------------|---|----------------------|
| In the Matter Of                      | ) |                      |
|                                       | ) |                      |
| Revision of the Commission's Rules To | ) |                      |
| To Ensure Compatibility with Enhanced | ) | CC Docket No. 94-102 |
| 911 Emergency Calling Systems         | ) |                      |
| Systems                               | ) |                      |
|                                       | ) |                      |

**Reply Comments of City of Richardson, Texas**

The City of Richardson, Texas ("Richardson") hereby submits its Reply Comments pursuant to Public Notice, DA 01-1623, rel. July 10, 2001, entitled "Wireless Telecommunications Bureau Seeks Further Comment on the Commission's Rules Concerning Public Safety Answering Point Requests for Phase II Enhanced 911" (the "Public Notice").

Richardson was encouraged to see that the Cellular Telecommunications & Internet Association ("CTIA"), in its Comments, conceded that for a PSAP request to be valid, it would suffice for the PSAP to have entered into a contractual relationship with a CPE vendor to provide the capability to use the Phase II data within six months of the date of a PSAP request. CTIA Comments at Pgs. 2, 5. See also CTIA Comments at Pg. 10, Attachment 2 ("The PSAP must provide reasonable assurance that (sic) it's existing CPE is or will be capable of using the Phase II data. . .") That concession represents a marked reversal from the original position of CTIA and its member carriers in response to the filing of Richardson's petition, namely that a PSAP request would be invalid unless the PSAP actually had such capability already installed when it made the request.

Thus, there are only two issues related to this matter on which CTIA and Richardson differ. The first issue is CTIA's request that the Commission mandate that for a PSAP request to be valid, the ALI database must meet the J-STD-036 E2 interface standard or what CTIA terms a "qualifying interim solution." CTIA Comments at Pg. 2. The Commission should reject this

request for the same reasons that the Commission has not mandated particular standards for carriers implementing Phase II service and, more generally, that the Commission does not mandate particular technical standards for carriers. The Commission need not micromanage PSAPs as they strive to implement Phase II service, any more than the Commission should micromanage carriers. The history of the Commission's actions in this proceeding shows that the Commission has repeatedly declined to micromanage by dictating technical standards. For example, the Commission declined to choose between CAS and NCAS for Phase I compliance, and the Commission has not dictated the ALI solution carriers must adopt for Phase II (network or handset, AGPS, E-OTD, TDOA, AOA, etc.). In fact, although Richardson is not especially opposed to the J-STD-O36 E2 standard, Richardson is concerned that PSAPs are at the mercy of their LECs when it comes to the ALI database, and as Sprint PCS warned the Commission its limited waiver request filed this week, some LECs may not implement the J-STD-O36 E2 standard.

In addition, CTIA does not explain why it believes that a PSAP request would be valid if the PSAP has a contract for the necessary CPE upgrade, but not if the same PSAP does not have its ALI database actually upgraded when it makes its request. The Commission should follow the same approach with regard to the ALI database as CTIA proposes with regard to the CPE upgrades; if a PSAP has requested upgrading of its ALI database and has contracted for the CPE upgrade to occur within six months of the date of its request, then the request should be deemed valid.

The second outstanding issue between Richardson and CTIA relates to CTIA's proposal that a PSAP certify that it "is able to provide the data necessary to support Phase II deployment" when it makes a request for Phase II service. CTIA Comments at Pg. 2. In describing this criterion later in its Comments, CTIA expands it into a requirement that the PSAP's "management is ready to provide the necessary administrative support needed in a cooperative effort." CTIA Comments at Pg. 5. CTIA's sample PSAP request treats this criterion as a requirement that the PSAP state that it is "prepared to provide the data necessary for Phase II

deployment, including boundary maps and routing information, and to cooperate in the installation and testing of these systems.” CTIA Comments at Pg. 7. The varying descriptions of this criterion are vague. Certainly, PSAPs and carriers will have to cooperate in the installation and testing of systems for Phase II. But, given that CTIA cannot even specify the “necessary data,” there is no basis for the Commission to adopt such vague requirement. As Richardson suggested, it should suffice for a PSAP, if its request is challenged by a carrier, to have a plan in place for completion of all necessary arrangements so that by the time Phase II service will be delivered, the PSAP will be able to receive and utilize the data.

Finally, while CTIA narrowed its differences with Richardson, a leading carrier, Cingular, persisted in making the legally erroneous argument that the Commission cannot terminate the controversy over when a PSAP request is valid without issuing another notice of proposed rulemaking. It is regrettable that Cingular has chosen to seek delay in this manner. Cingular has twice been given the opportunity to file comments in this matter and has largely avoided the merits of this dispute. The latest Public Notice is clearly a legally sufficient basis for the Commission to resolve this controversy.

Wherefore, the City of Richardson respectfully requests that the Commission clarify Section 20.18 (j) of its rules to establish that if and when a PSAP shows that it meets the objective criteria specified in Richardson’s Comments, a carrier’s obligation to deliver Phase II service within six months of a PSAP’s request is triggered.

Respectfully submitted,

By: \_\_\_\_\_

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Dated: August 1, 2001

### **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing was sent by U.S. mail, on this 1<sup>st</sup> day of August 2001, to the following persons:

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